UTILITY PATENT APPLICATION TRANSMITTAL (Larg Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. **B422-243**

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TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application P.O. Box 1450 Alexandria, VA 22313-1450

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| U (| Conti | nuati | on | Ш | Divisional | Ц | Continuation | on-in-part (CIP) | of prior application No.: | |
| Enclo | sed a | re: | | | | | Applica | tion Elements | | |
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| 1. | × | Filing | g tee | as c | calculated and | d trai | nsmitted as d | escribed below | | |
| 2. | X | Spec | cificat | tion | having | | 32 | pages and i | including the following: | |
| | a. | | Desc | cripti | ive Title of the | e Inv | ention | | | |
| | b. | | Cros | s Re | eferences to | Rela | ted Applicatio | ons (if applicable) |) | |
| | C. | | State | eme | nt Regarding | Fed | erally-sponso | red Research/De | evelopment (if applicable) | |
| | d. | | Refe | rend | ce to Sequen | ce Li | sting, a Table | e, or a Computer | Program Listing Appendix | |
| | е. | \boxtimes | Back | gro | und of the Inv | venti | on | | | |
| | f. | \boxtimes | Brief | Sur | mmary of the | Inve | ntion | | | |
| | g. | \boxtimes | Brief | Des | scription of th | e Dr | awings <i>(if file</i> | d) | | |
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| 3. | X | Drawing(s) (when necessary as prescribed by 35 USC 113) |
|-------------|-------------|--|
| | a. | ➤ Formal Number of Sheets |
| | b. | ☐ Informal Number of Sheets |
| 4. | X | Oath or Declaration |
| | a. | ☑ Newly executed (original or copy) ☐ Unexecuted |
| | b. | Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only) |
| | C. | ☑ With Power of Attorney ☐ Without Power of Attorney |
| | d. | DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b). |
| 5. | | Incorporation By Reference (usable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. |
| 6. | | CD ROM or CD-R in duplicate, large table or Computer Program (Appendix) |
| 7. | | Application Data Sheet (See 37 CFR 1.76) |
| 8. | | Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included) |
| | a. | ☐ Computer Readable Form (CRF) |
| | b. | ☐ Specification Sequence Listing on: |
| | | i. CD-ROM or CD-R (2 copies); or |
| | | ii. 🔲 Paper |
| | C. | ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy |
| | | Accompanying Application Parts |
| 9. | \boxtimes | Assignment Papers (cover sheet & document(s)) |
| 10. | | 37 CFR 3.73(B) Statement (when there is an assignee) |
| 11. | | English Translation Document (if applicable) |
| 12. | | Information Disclosure Statement/PTO-1449 |
| 13. | | Preliminary Amendment |
| 14. | \boxtimes | Return Receipt Postcard (MPEP 503) (Should be specifically itemized) |
| 15 . | | Certified Copy of Priority Document(s) (if foreign priority is claimed) |
| 16. | X | Certificate of Mailing |
| | | ☐ First Class ☒ Express Mail (Specify Label No.): EL293874344US |
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Applicati n Elements (Continued)

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| | | Accompanying Application Parts (Continued) |
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| 17. | X | Additional Enclosures (please identify below): |
| | | Claim is made under 35 USC 119 for the benefit of the filing date of Japanese Patent Application No. 305409/2002, filed October 21, 2002. A certified copy of the application will be filed in due course. |
| | | Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2) |
| 18. | | Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application. |
| | | Warning |
| | | An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional. |
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Fee Calculation and Transmittal

CLAIMS AS FILED Fee For #Filed #Allowed #Extra Rate \$0.00 **Total Claims** 18 - 20 = 0 \$18.00 x \$86.00 Indep. Claims 4 - 3 = 1 \$86.00 \$0.00 Multiple Dependent Claims (check if applicable) \$770.00 **BASIC FEE** \$0.00 OTHER FEE (specify purpose) **TOTAL FILING FEE** \$856.00 Payment by credit card. Form PTO-2038 is attached. ☐ The Director is hereby authorized to charge and credit Deposit Account No. 18-1644 as described below. □ Charge the amount of as filing fee. ☑ Credit any overpayment. □ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17. ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b). John J. Torrente Attorney/for Applicant Dated: October 16, 2003 Filed Under 1.34(a) Robin, Blecker & Daley 330 Madison Avenue New York, NY 10017

(212) 682-9640